

THIRD DECLARATION OF ALEX ALBRIGHT

Alex Albright hereby declares, pursuant to the provisions of 28 U.S.C. § 1746, as follows:

1. I am an employee at the Institute of Museum and Library Services (“IMLS”), currently on administrative leave. I am making this declaration under a pseudonym because I am concerned about reprisal against myself or those close to me by the federal government, its officials, or others. My identity is known to counsel for the American Library Association.

2. I previously submitted two declarations in this case. *See* ECF No. 20-1; ECF No. 33-4. As discussed in those declarations, through my experience as an employee of IMLS, I have knowledge of how IMLS grants are issued and how payments under those grants are processed. I have personal knowledge of recent events at IMLS, as well as knowledge based on my conversations with other IMLS staff and grant recipients.

3. Based on conversations with grant recipients with whom I have a working relationship, on April 28, 2025, IMLS sent out an email blast of grant termination form letters cancelling several hundred additional grant awards. These cancellations were apparently intended to have been sent on April 8, along with the first batch, but were not sent as a result of misprocessed files by the DOGE personnel who generated cancellation notices in bulk in order to cancel awards as quickly as possible. Recipients of the April 28 batch had previously received notices regarding

their right to request review of cancellations that they had not, at the time, received; but which were sent out on April 28.

4. On April 25, 2025, the Museum Deputy Director was notified that they would be subject to a reduction in force due to the agency ending all telework flexibilities. The Museum Deputy Director position, which is statutorily mandated, has been vacant since April 30.

5. To my knowledge, there are currently only three program staff active at IMLS. As of today, May 13, 2025, approximately 8 staff members have been separated from federal service due to a reduction in force; approximately 57 staff members remain on administrative leave pending completion of a reduction in force; and approximately 10 or 11 staff members remain active on duty status at IMLS.

6. Based on publicly available screenshots of termination notices I have reviewed, IMLS currently states that it is processing certain reimbursement requests to grant recipients that were submitted prior to the grant's termination date. At the time that the majority of staff were placed on administrative leave, a backlog of hundreds of IMLS-approved payment requests had grown as a result of DOGE's order to IMLS's payment processor to pause disbursements on or around March 25, 2025. There remain ongoing delays in disbursement of these reimbursements. Payments are currently being processed by IMLS staff who have no training or experience with reviewing payment requests for accuracy or reasonableness in compliance with federal grant regulations, or with the agency's

internal controls for checking grantees' institutional standing and verifying requests against project budgets and financial reports.

7. Typically, at this time of year, IMLS would be preparing to make the vast majority of its competitive awards for 2025. At this time in a typical year, the process of preparing funding recommendations for fiscal year 2025 grant awards and finalizing Notices of Funding Opportunities for fiscal year 2026 grant awards so that applicants can prepare to submit fiscal year 2026 grant proposals would be well underway. At this time, IMLS has received applications for all grant programs for which it plans to issue awards in fiscal year 2025, and would typically begin awarding those grants in June.

8. On or around April 24, 2025, program staff were instructed to cherry-pick a select few grant applications to fund from the thousands submitted for the fiscal year 2025 cycle that would satisfy the political agenda of Acting Director Keith Sonderling and President Trump. Program staff were instructed to select grant applications that did not include any reference to "DEI," climate change, or other topics disfavored by the administration.

9. Federal financial assistance regulations require that merit review be an objective process of evaluating Federal award applications based on the specific program objectives and review criteria defined in writing within Notices of Funding Opportunities. Federal agencies must also adhere to the award selection criteria and process defined in NOFOs. Based on my experience, cherry-picking grant applications for funding based on political priorities conflicts with regulations

governing grant awards, including the aforementioned regulations requiring merit-based review, program design, and adherence to specifications and processes set out in the Notices of Funding Opportunity to which the applications were made.

10. Hundreds of IMLS grantees who received termination notices have submitted requests to the agency for review of the terminations in accordance with IMLS's General Terms and Conditions. To date, based on my conversations with IMLS staff and grant recipients, grantees have not received responses from IMLS to these requests for review or to related emails, messages, or phone calls, and there appears to be no process in place for processing those requests.

11. Although notices of grant terminations were sent to grantees from an IMLS email address, no IMLS staff drafted the notices, and they did not originate at IMLS. The termination notices also recommend grantees send "only urgent questions" to an email address that did not exist before March 31, 2025. It is not clear to me who, if anyone, is monitoring the inbox for that email address.

12. The general terms and conditions for IMLS grant awards include the right to request a review of the termination of a grant. The terms and conditions set forth a procedure for IMLS to conduct the review. For example, the IMLS Director must appoint a three-person review committee, and no member of that committee may be from the IMLS program or administrative staff that recommended termination or were responsible for monitoring the programmatic or administrative aspects of the award.

13. There are currently not sufficient staff at IMLS to conduct reviews consistent with the procedures set out in the terms and conditions and in federal regulations. As stated above, current IMLS staff includes only one program officer for museum services, one program officer for library services, and a deputy director for library services. In order to constitute the review panels required by the procedures set forth in the general terms and conditions, staff would need to be reinstated from administrative leave.

14. IMLS also does not have a procedure in place for conducting the reviews. For example, there are no standardized review criteria or rubrics. This is likely because historically, terminations of grants are extremely uncommon. Nor does IMLS have, to my knowledge, any plan for conducting the requests for review that are pending or imminent in a timely manner.

15. To my knowledge, IMLS has not begun reviewing any grant terminations, although I understand requests for review have been pouring in. Due to the lack of sufficient staff and review procedures, and the volume of outstanding and anticipated requests for review, I expect the reviews could not occur for quite some time.

16. The single staff member who previously handled FOIA requests for IMLS, a paralegal, was placed on administrative leave on March 31, 2025. To my knowledge, nobody is monitoring the FOIA inbox or responding to FOIA requests.

17. Furthermore, IMLS leadership informed the currently active IMLS staff that the IMLS office will close and IMLS offices will be moved into the office building

housing the Department of Labor in early June. I understand that the new office space will not be able to accommodate more than the small group of IMLS employees who have not been placed on administrative leave or fired.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 13, 2025.

/s/ Alex Albright

Alex Albright